

**COMMITTEE ON GOVERNMENT REFORM**  
**TOM DAVIS, CHAIRMAN**



**MEDIA ADVISORY**

**For Immediate Release**  
**March 3, 2004**

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**Public Confidence, Down the Drain:**  
*Government Reform Committee to Examine Federal Role in  
Ensuring Safe Drinking Water in the Capital Region*

What: COMMITTEE ON GOVERNMENT REFORM OVERSIGHT HEARING  
“PUBLIC CONFIDENCE, DOWN THE DRAIN: THE FEDERAL ROLE IN ENSURING  
SAFE DRINKING WATER IN THE DISTRICT OF COLUMBIA”

When: Friday, MARCH 5, 2004, 10 a.m.

Where: Room 2154, RAYBURN HOUSE OFFICE BUILDING

The purpose of this oversight hearing is to review the condition of lead contamination in the District of Columbia water supply and to examine federal agencies' responsibilities for drinking water safety in the District of Columbia and surrounding jurisdictions – and possible actions for addressing the current lead crisis.

This hearing will provide a forum for the Committee to assess the actions of and coordination among the Environmental Protection Agency (EPA), the Washington Aqueduct of the U.S. Army Corps of Engineers, and the District of Columbia Water and Sewer Authority (WASA), and to review the effectiveness of applicable plans and regulations in ensuring the safety of drinking water in the District of Columbia.

***Was public notification adequate? What caused the spike in lead levels in the DC area? Is lead service line replacement the answer? Are federal safe drinking water regulations sufficient to protect public health? If chloramines are the cause of the higher lead levels, where do we go from here? Is there cause for more widespread concern in jurisdictions around the nation?***

## BACKGROUND

The Safe Drinking Water Act requires EPA to establish National Primary Drinking Water Standards and enforce them through the Public Water System Supervision Program. Public water systems throughout the nation must monitor drinking water for regulated contaminants to ensure public safety and to notify customers when a violation of drinking water requirements occurs. States are delegated the primary enforcement authority for this program; however, EPA retains direct authority for the District of Columbia water system. On June 7, 1991, EPA established a national primary drinking water action level for lead at 15 parts per billion (ppb). This is a statistical trigger value that, once reached in a water system, requires more treatment, public education, and lead service line replacement. Public water suppliers are required to report the results of their water samples on a regular basis to determine whether the action level has been exceeded.

In 1996, the District of Columbia, the federal government, and the surrounding jurisdictions collaborated to create WASA, a multi-jurisdictional regional utility that provides drinking water, wastewater collection, and treatment to more than 500,000 residential, commercial, and governmental customers in the District of Columbia. WASA delivers water to more than 130,000 locations in Washington, D.C., and provides nearly 135 million gallons of drinking water a day to residences and businesses. To distribute water and support the distribution system, WASA operates nearly 1,300 miles of pipes, five pumping stations, five reservoirs, four elevated water storage tanks, 36,000 valves, and 8,700 hydrants. WASA's water comes from the Potomac River and is treated by and purchased from the Washington Aqueduct, a division of the U.S. Army Corps of Engineers.

The Army Corps of Engineers runs the Washington Aqueduct, which produces drinking water for the District of Columbia and portions of northern Virginia. A division of the Baltimore District, U.S. Army Corps of Engineers, the Aqueduct is a federally owned and operated public water supply agency that produces millions of gallons of water for the District of Columbia and surrounding jurisdictions.

EPA regulations require each supply system to develop and implement a corrosion control program. EPA gave the Corps interim approval for its corrosion control plan in 1997 and final approval in 2000. In November 2000, the Washington Aqueduct added chloramines to its process for disinfecting water in order to improve the quality of the water. Chloramines are molecular compounds of ammonia and chlorine used by many water utilities in the United States and elsewhere for disinfection. The hearing will explore whether studies were conducted concerning the new disinfection process used to treat water for bacteria and whether the new process will affect corrosion and therefore lead levels.

EPA regulations also require each supply system to monitor lead levels in the tap water. WASA's initial monitoring period for lead began in January 1992 with minimum sampling of 100 locations every six months. According to EPA, that monitoring frequency was reduced to 50 locations once per year pursuant to regulations that permit reduced

monitoring if the action level is not exceeded for a certain period of time. According to EPA, Washington, D.C. water suppliers had not violated any federal drinking water regulations since August 1996.

On July 9, 2001, EPA received WASA's Lead and Copper Program Report for Monitoring Period July 1, 2000 to June 30, 2001. This report indicated that D.C. had exceeded the lead action level in some samples. On August 27, 2002, EPA received WASA's Lead and Copper Program Report for Monitoring Period July 1, 2001 to June 30, 2002, which revealed that lead levels exceeded the action level in 26 of the 53 samples taken. A 10 percent rate of exceedance of the action level triggers requirements to remediate the lead levels. The 50 percent rate of exceedance reported by WASA to EPA was an indisputable warning of a potentially widespread and serious lead contamination problem.

WASA was required to return to six month sampling by January 2003, engage in a lead public education program, and initiate lead service line replacement. While the regulations require seven percent of the lead service lines to be replaced per year, they allow the supplier to count as replaced all lines that are tested and show lead levels at the tap below the action level. In more extensive testing done during the summer of 2003, two-thirds of the 6,118 homes tested had water that exceeded the lead action level. About 157 homes had water with lead levels of more than 300 parts per billion, levels that are rare, according to experts.

Extended and elevated exposure to lead can cause a variety of adverse health effects. Children under the age of six and pregnant women are at the greatest risk. Depending on the level and length of exposure, effects may include interference with red blood cell chemistry, delays in normal physical and mental development in babies and young children, deficits in the attention span, hearing, and learning abilities of children, and slight increases in the blood pressure of some adults. Lead can also cause strokes, kidney disease, and cancer.

## **WITNESSES**

The Committee expects to hear from the following witnesses who will discuss federal regulations concerning lead in drinking water, whether the District of Columbia's drinking water was properly monitored and protected, and how potential health risk should be properly communicated in a timely fashion.

The Honorable Benjamin H. Grumbles, Acting Assistant Administrator, Environment Protection Agency Office of Water

Mr. Donald S. Welch, Regional Administrator, Environmental Protection Agency Region III

Mr. Thomas P. Jacobus, P.E., General Manager, Washington Aqueduct, U.S. Army Corps of Engineers

Mr. Glenn S. Gerstell, Chairman, District of Columbia Water and Sewer Authority  
accompanied by Jerry Johnson, General Manager and Michael S. Marcotte, P.E., DEE, Chief  
Engineer/Deputy General Manager

Erik Olson, Senior Attorney, Natural Resources Defense Council

Professor Ellen Silbergeld, Johns Hopkins Bloomberg School of Public Health

Professor Marc Edwards, Virginia Polytechnic Institute and State University

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